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LAW DEPARTMENT

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September 25, 2024

VIA ECF

Hon. Colleen McMahon
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *N.B. v. N.Y.C. Public Schools*, 24-6226 (CM)(SLC)

Dear Judge McMahon:

I am a Special Assistant Corporation Counsel in the office of Acting Corporation Counsel, Muriel Goode-Trufant, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.* ("IDEA"), as well as for this action.

I write to respectfully request an extension of Defendant's time to respond to the Complaint, from October 1, 2024 to January 20, 2025, i.e. 90-days from the date Plaintiff has agreed to provide the needed billing records (and a privilege log, if redacted for privilege) and retainer agreement with redactions for parent's and minor's personally identifiable information only (October 22, 2024). Plaintiff consents to this request. This is Defendant's first request for an extension of this deadline. Upon receipt of the documents from opposing counsel, the requested extension will give Defendant's counsel time to complete the City's internal review process by reviewing the billing records together with the underlying administrative record, begin settlement negotiations and hopefully resolve this matter without the need for a conference or motion practice. We have resolved recent similar IDEA fees-only cases brought by plaintiffs represented by the Roller firm without the need to burden the court with any sort of motion practice, conferences or even the need to file an Answer. The parties are hopeful this matter will be resolved as well.

I also write to respectfully request that the Initial Pretrial Conference (IPTC) currently scheduled for November 7, 2024 be cancelled. Your Honor's September 9, 2024 Order (ECF 5) specified that if a proposed Case Management Plan is submitted at least two business days prior to the scheduled IPTC and approved by the Court, the IPTC will be cancelled automatically. Pursuant to section IV (J) of Your Honor's Individual Rules, the parties instead jointly submit the proposed briefing schedule below, in the event this matter is not resolved through settlement:

- Plaintiff's motion for summary judgment will be due on March 4, 2025.
- Defendant's opposition will be due on April 3, 2025.
- Plaintiff's reply, if any, will be due on April 24, 2025.

9/26/2024
Schedule
approved -
conference
cancelled
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Thank you for considering these requests.

Respectfully submitted,

/s/ Marina Moraru

Marina Moraru, Esq.

Special Assistant Corporation Counsel

cc: Irina Roller (via ECF)